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TO

Confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act 1878 relating to the Urban Sanitary District of Kilkenny.

A.D. 1895.

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto, under the Public Health (Ireland) Act 1878 :

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

10 1. The Order set out in the schedule hereto is hereby confirmed and all the provisions thereof shall have full validity and force.

Order in
schedule
confirmed.
Short title.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 6) Act 1895.

A.D. 1895.

SCHEDULE

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Kilkenny.

KILKENNY WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Mayor Aldermen and Burgesses of the Borough of 5
Kilkenny acting by the town council (herein-after called the sanitary authority)
are the urban sanitary authority of the district consisting of the said borough
and are about to construct waterworks for the purpose of providing a supply
of water for the said district and have presented a petition to the Local
Government Board for Ireland (herein-after called the Local Government 10
Board) in pursuance of the Public Health (Ireland) Act 1878 praying that
they may be allowed to put in force the powers of the Lands Clauses Acts
with respect to the purchase and taking of lands otherwise than by agreement
with reference to certain lands and premises required for the purposes of the
said works: 15

And whereas the sanitary authority have deposited at the office of the Local
Government Board in Dublin plans and a book of reference (herein-after called
the deposited plans and book of reference) showing the lands and premises
required for the purposes aforesaid:

And whereas all advertisements and notices required by the Public Health 20
(Ireland) Act 1878 having been previously published served and given the
the Local Government Board have caused a local inquiry to be held as to
the propriety of assenting to the prayer of the said petition and it appears to
the Local Government Board to be proper to assent thereto.

It is ordered by the Local Government Board as follows:— 25

Compulsory
powers to take
lands and other
premises.

1. From and after the confirmation of this Order by Parliament the sanitary
authority shall be empowered to put in force the powers of the Lands
Clauses Acts with respect to the purchase and taking of land other-
wise than by agreement with reference to the lands lands covered with
water and rights to take and convey water easements and other 30
premises shown in the deposited plans and book of reference including
the site of a dam or embankment across the river Muckalee shown in
the deposited plan to be constructed for the purposes of an impounding
reservoir for the said works and the right to impound and use the water
of the said river for the purposes of the said supply and for the purposes 35
of this Order the word land in the Lands Clauses Acts shall extend to

and include the lands lands covered with water water rights to take and convey water easements and other premises hereinbefore mentioned :

A.D. 1895.

Kilkenny.

Provision for the protection of persons of the labouring class.

2. The sanitary authority shall not under the powers of this Order purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December last but have been or shall be subsequently so occupied For the purpose of this Order the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

3. The costs charges and expenses of and incidental to the application for obtaining and confirming this Order shall be paid by the sanitary authority out of and by means of their borough fund or borough rate.

Costs of Order.

4. The compulsory powers of taking and purchasing lands and other premises given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.

Duration of compulsory powers.

5. This Order may be cited and referred to for all purposes as the Kilkenny Waterworks Provisional Order 1895.

Short title of Order.

Given under our hands and seal of office this tenth day of May in the year of our Lord one thousand eight hundred and ninety-five.

(L.S.)

(Signed) F. MACCABE.
H. A. ROBINSON.

